

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA,

v.

24-CR-116 (JLS)

MATTHEW W. STEELE,

Defendant.

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, on April 15, 2025, Defendant, MATTHEW W. STEELE, pled guilty to Counts 1 and 10 of the Indictment (Dkt. 10)—charging violations of Title 18, United States Code, Sections 2251(a) and 2252A(a)(5)(B) (production of child pornography (Count 1); and possession of child pornography involving a prepubescent minor (Count 10));

WHEREAS, based upon Defendant's conviction of Counts 1 and 10, and from his agreement (Dkt. 42) that the below property is subject to forfeiture, the Government has established the requisite nexus between Defendant's violations of Title 18, United States Code, Sections 2251(a) and 2252A(a)(5)(B) and the following property subject to forfeiture (the "real property and electronic equipment"):

REAL PROPERTY:

- a. The premises and real property with its buildings, improvements, fixtures, attachments, and easements, known as 2160 Bullis Road, Elma, New York 14059; that is, all that tract or parcel of land, situate in the Town of Elma, County of Erie and State of New York and more particularly described in a certain deed dated December 9, 2002 and recorded in Liber Book 11021, of deeds at page 9414, of the Erie County Clerk's Office.

ELECTRONIC EQUIPMENT:

- a. One (1) Olympus Camera E-500, Serial # A78505599, with SD card, seized on or about March 11, 2024, from the defendant's residence;
- b. One (1) Olympus lens 40-150, Serial # 136103223, seized on or about March 11, 2024, from the defendant's residence;
- c. One (1) Western Digital Protégé WD 400 Hard Drive, Model: WD40 0EB-11CP, Serial #: WCAATH624177, Memory Size: 40GB, seized on or about March 11, 2024, from the defendant's residence; and
- d. One (1) Western Digital Protégé WD 800 Hard Drive, Model: WD80 0EB-00DJ, Serial #: WCAHL3130898, Memory Size: 80GB, seized on or about March 11, 2024, from the defendant's residence.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that pursuant to Federal Rule of Criminal Procedure 32.2(b)(2), Title 18, United States Code, Sections 2253(a)(1) and 2253(a)(3), Defendant's right, title, and interest in the real property and electronic equipment is hereby condemned and forfeited to the United States of America; it is further

ORDERED, ADJUDGED, AND DECREED, that pursuant to Federal Rule of Criminal Procedure 32.2(b)(3), and Title 21, United States Code, Section 853(g), the United States of America is authorized to seize and take all steps necessary and appropriate to protect its interest in the real property and electronic equipment, including taking actual possession of the real property and electronic equipment. Any person or entity which has possession of, or jurisdiction over the real property and electronic equipment, is directed to make the real property and electronic equipment available to federal authorities in accordance with this order; it is further

ORDERED, ADJUDGED, AND DECREED, that pursuant to Title 21, United States Code, Section 853(i), upon entry of this order, the Court hereby authorizes the Attorney General, through the United States Department of Homeland Security, Homeland Security Investigations, to take the appropriate measures necessary to safeguard and maintain property ordered forfeited under this section pending its disposition. The Department of Homeland Security, Homeland Security Investigations, is further granted full inspection and access rights to the above-referenced real property and is authorized to enter into occupancy agreements with any of the occupants of said real property or to physically remove such occupants as it deems necessary in order to protect, maintain, or dispose of said real property; and it is further

ORDERED, ADJUDGED, AND DECREED, that pursuant to Federal Rule of Criminal Procedure 32.2(b)(3) and Title 21, United States Code, Section 853(h), following the seizure of the real property and electronic equipment, the Attorney General, through the United States Attorney's Office and/or any other duly authorized federal agency, shall direct the disposition of the real property and electronic equipment making due provision for the rights of any innocent persons; it is further

ORDERED, ADJUDGED, AND DECREED, that pursuant to Federal Rule of Criminal Procedure 32.2(b)(6)(A) and Title 21, United States Code, Section 853(n)(1), the United States shall publish notice of this order and of its intent to dispose of the real property and electronic equipment in such manner as the

Attorney General, through the United States Attorney's Office and/or any other duly authorized federal agency, may direct. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in any portion of the real property and electronic equipment, as a substitute for published notice as to those persons so notified; it is further

ORDERED, ADJUDGED, AND DECREED, that pursuant to Title 21, United States Code, Section 853(n)(2), any person, other than Defendant, having or claiming a legal interest in the real property and electronic equipment, must file a petition with the court within thirty (30) days of the final publication of notice, or of receipt of actual notice, whichever is earlier, for a hearing to adjudicate the validity of the petitioner's alleged interest in the real property and electronic equipment; it is further

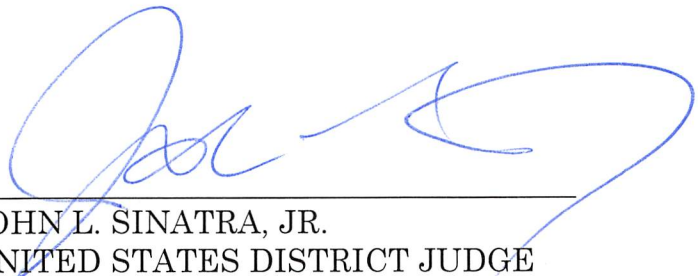
ORDERED, ADJUDGED, AND DECREED, that pursuant to Title 21, United States Code, Section 853(n)(3), any petition shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in the real property and electronic equipment, and any additional facts supporting the petitioner's claim and the relief sought; it is further

ORDERED, ADJUDGED, AND DECREED, pursuant to Federal Rule of Criminal Procedure 32.2(b)(4)(A) and (B), this Preliminary Order shall become final as to Defendant at the time of Defendant's sentencing and shall be made part of Defendant's sentence and included in his judgment of conviction. If no third-party

files a timely claim, this Preliminary Order, together with Supplemental Orders of Forfeiture, if any, shall become the Final Order of Forfeiture, as provided by Federal Rule of Criminal Procedure 32.2(c)(2). At that time, the monies and/or properties forfeited herein shall be forfeited to the United States for disposition in accordance with the law.

SO ORDERED.

Dated: April 25, 2025
Buffalo, New York



JOHN L. SINATRA, JR.
UNITED STATES DISTRICT JUDGE